

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

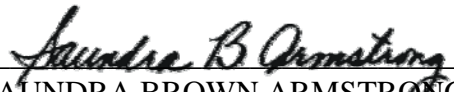
LEO SCHWARTZENBERGER, ) No. C 10-0858 SBA (PR)  
 )  
Petitioner, ) **JUDGMENT**  
 )  
v. )  
 )  
F. GONZALES, Warden, )  
 )  
Respondent. )

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Pursuant to the Court's Order granting respondent's motion to dismiss petition as untimely signed today, this action is DISMISSED WITH PREJUDICE. 28 U.S.C. § 2244(d).

IT IS SO ORDERED.

DATED: September 30, 2011

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

LEO SCHWARTZENBERGER,

Plaintiff,

v.

F GONZALES et al,

Defendant.

Case Number: CV10-00858 SBA

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 12, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Leo Schwartzenberger V-62320  
California Correctional Institution  
P.O. Box 608  
Tehachapi, CA 93581

Dated: October 12, 2011

Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk